

**REMARKS**

These remarks are directed to the office action mailed July 30, 2007, setting a three month shortened statutory period for response set to expire on October 30, 2007. The office action issued by the Examiner and the citations referred to in the office action have been carefully considered.

Prompt reconsideration is requested in view of the above claim amendments and the following remarks. As indicated, amendments introduce no new matter.

**Claim Rejections under 35 USC § 101**

Claims 6 and 7 have been rejected under 35 USC §101 as being directed to non-statutory subject matter. Claim 6 has been amended to recite a “data carrier comprising a computer program...” Support for amended claim 6 is found on page 4, lines 19-20. Claim 7 has been canceled.

**Claim Rejections under 35 USC § 103**

Claims 1-2, 5-12, and 15-19 are rejected under 35 USC §103(a) as being unpatentable over Burger (U.S. Patent 6,219,439) in view of Trench (U.S. Patent Publication No. 2005/0154877 A1). Claims 3-4, 13-14, and 20-23 are rejected under 35 USC §103(a) as being unpatentable over Burger in view of Trench and in further view of Chen et al. (U.S. Patent 5,694,471).

Applicant's invention teaches a document which has a card provided with machine readable holder data and which also has a chip that stores both biometric data and data with a predetermined relationship to the machine readable holder details in the machine readable zone. Thus in Applicant's invention, the holder details are, in some form, present in the document twice, i.e., once in the chip and once on the document's card. The claims have been amended to

further clarify this aspect of Applicant's invention. Support for the amended claims is found on pages 5-8.

Burger teaches a document comprising a chip 20 which has a memory 22. The memory, in an embodiment, stores both the finger print data in a memory 28 and the holder's identification data 30 (column 5, lines 28-40). However, in Burger, there are no holder details in a machine readable zone on the card of the document. Trench and Chen also do not teach or suggest having holder details present in both a chip and a document's card.

Having the holder details present in both the chip and the document's card is significant in guarding against fake documents. By coupling the data in the chip with data on the document itself, it is not only difficult to physically separate the chip from the document but also makes the chip and document as separate units worthless.


Combining Burger, Trench, and Chen in any manner does not result in the claimed limitations and elements of Applicant's invention. Applicant submits that the independent claims and the claims thereby dependent thereon are not obvious and are therefore patentable under 35 USC §103. The Examiner is respectfully requested to reconsider and now withdraw the Examiner's rejection.

In view of the above, it is respectfully submitted that this application is now in good order for allowance, and such early action is respectfully solicited. Should matters remain, which the Examiner believes could be resolved in a telephone interview, the Examiner is requested to telephone Applicant's undersigned attorney.

The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to **Deposit Account Number 50-2638**. Please ensure that Attorney Docket Number 72998-012200 is referred to when charging any payments or credits for this case.

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Respectfully submitted,



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